

REMARKS

Claims 3-6, 8, 14, 21, 22, and 27-50 are pending. Claims 3, 4, 14, 21, 22, 27-37, 43-45, 49 and 50 are withdrawn as being drawn to non-elected subject matter. The amendment to claim 38 is submitted in order to address the formal rejection issued by the Examiner in the outstanding Office Action of April 27, 2011. No new matter has been incorporated into the application as a result of the amendment made herein.

Entry of the amendment is requested under 37 C.F.R. 41.33(a), as the amendment is merely directed to matters of form and raises no new issues. This amendment is submitted subsequent to a second Notice of Appeal, which was filed on July 27, 2011, and is submitted to reduce the issues to be decided on appeal and/or to place the claims 38-42 into condition for allowance.

Appellants further note that claims 38-42 have not been rejected over prior art in the outstanding Office Action, and therefore assume that entry of the accompanying amendment will result in allowance of these claims.

Rejection under 35 U.S.C. §112

Claim 38-42 stand rejected under 35 U.S.C. §112, first paragraph as exceeding the scope of enablement provided by the specification. Appellants traverse this basis for rejection and respectfully request reconsideration and withdrawal thereof, in view of the accompanying amendment.

Appellants believe that the proposed amendment clarifies the nature of the articulation between the "connector" fixed to the end of the arm, which may be a ball or a socket, and the opposite mating portion which is disposed on the adhesive pad, as illustrated in Fig. 7.

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Response Dated: September 6, 2011
Response to Office Action dated: November 9, 2009

Rejection under 35 U.S.C. §103(a) over Hasson in view of Taylor et al.

Claims 5, 6, 8 and 46-48 stand rejected under 35 U.S.C. §103(a) as obvious over Hasson (U.S. Patent No. 4,724,838) in view of Taylor et al. (U.S. Patent No. 6,394,951).


Appellants will submit their comments in traverse of this rejection in their upcoming Appeal Brief under 37 C.F.R. 41.37.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-2478 (13926).

If the Examiner has any questions or wishes to discuss this application, the Examiner is invited to contact the undersigned representative at the number set forth below.

Respectfully submitted,

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